

**Please amend this application as follows:**

**In the Drawings:**

The attached sheets of drawings include changes to FIGs. 1 and 4. These sheets replace the replacement sheets for FIGs. 1 and 4 that were submitted with the Request for Continued Examination on June 30, 2005.

## **REMARKS**

### **Interview Summary**

The undersigned attorney appreciates the time spent by the Examiner in a January 26, 2006 telephonic interview. During the conference the undersigned attorney and the Examiner discussed the October 6, 2005 Office Action, the cited prior art, and the claim amendments herein. The substance of the discussion regarding the cited prior art and the claim amendments is documented in the amended claims and the remarks herein.

### **In the Drawings:**

The Examiner objected to the drawings for minor informalities. Specifically, the Examiner objected to the replacement FIGs. 1 and 4 that were submitted with the Request for Continued Examination that was filed on June 30, 2005. In the Office Action, the Examiner stated that FIG. 1 would be acceptable if the original as-filed version of FIG. 1 was used with the addition of numeral 18. Additionally, the Examiner stated that either the structure shown in FIG. 1 should be added to FIG. 4, or the numeral 18 should be deleted from FIG. 4. Accordingly, Applicant submits replacement sheets 1 and 2, which modify FIGs. 1 and 4, respectively. FIG. 1 is the same as the drawing sheet submitted with the as-filed application including element number 18. FIG. 4 is the same as as-filed FIG. 4. Applicants respectfully request that the objections to the drawings be removed.

### **In the Claims:**

Claims 1-21 are pending in this application. Claims 1-20 were rejected in the non-final Office Action dated October 6, 2005. Applicants added claim 21 to the Amendment after Final Rejection that was filed April 25, 2005 and not entered by the Examiner. The Amendment that was filed with the Request for Continued Examination that was filed on June 30, 2005 also included claim 21. Claim 21 was apparently not examined by the Examiner because it is not listed in the Summary nor the Detailed Action section of the Office Action that was mailed to the Applicants on October 6, 2005.

Claims 1, 12, 17, and 21 are amended. Support for the new claims and amendments are found throughout the specification and the drawings. The amendment has been made to further clarify the position of the guard with respect to the riving knife. In view of the following amendments and remarks, Applicants respectfully request reconsideration of the application.

**I. Rejections under 35 U.S.C. § 112**

Claims 1-11 and 17-20 were rejected by the Examiner under 35 U.S.C. § 112, first paragraph for failing to comply with the written description requirement. Specifically, the Examiner stated that the original disclosure does not provide support for a guard that does not move with respect to the riving knife. Claims 1, 12, 17, and 21 have been amended. Applicants respectively assert that the current claims are not in violation of the written description requirement of section 112, first paragraph. Specifically, the as-filed specification states that “[a] guard is attached to the riving knife ... using a system of one or more pins that engage slots in the riving knife ... At least one of the pins is a multi-position pin that can be placed in at least two positions. In one position, the guard is securely and rigidly mounted to the riving knife.” Paragraph [0005]. Additionally, the as-filed specification states that “when the multi-position pin (48) is in the first position (as best shown in FIGS. 7 and 8), the guard (24) is securely attached to the riving knife (22).” Paragraph [0030].

In rejecting the claims, the Examiner considered the bail (32) to be a part of the guard (24) and stated that the bail is movable in either pin position. The current claims require that the guard top plate, which is a separate component from the bail, be attached (or mounted) securely and rigidly to the riving knife when the pin is in the first position, Applicants respectfully assert that the claimed subject matter is in compliance with the written description requirement and respectfully request the rejection under section 112, first paragraph be withdrawn.

**II. Rejections under 35 U.S.C. § 102**

Claims 1-3 were rejected by the Examiner under 35 U.S.C. § 102(b) as being anticipated by the teachings of U.S. Patent Number 291,187 to Groff (“Groff”).

Amended claim 1 further defines the position of the guard top plate with respect to the riving knife when the multi-position pin is in a first position. In contrast, Groff does not include a guard top plate that is securely and rigidly attached to the riving knife when a multi-position pin is in a first position, as is required by amended claim 1. Instead, Groff shows and teaches a guard that moves vertically with respect to the riving knife when attached to the riving knife.

In the Office Action, the Examiner stated that the Groff guard is not movable vertically when the lower pin (q) is in slot g. Applicants respectfully disagree with this statement. Groff states that:

In Fig. 1 the hood and connected parts are shown in their normal position of rest. Upon the advance of the board to be sawed, the forward end of the board, striking against the upturned projection C, causes the hood to turn on the upper bolt, f, as a pivot, the horizontal slot g permitting this movement. Then as the board further advances, its forward end strikes the incline v and raises the rear end of the hood, and causes the rollers q q' to travel up the vertical slots S S', as will be readily understood. Groff, II. 90-101 (emphasis added).

Accordingly, when the lower pin (q) of Groff is within the slot (g), the hood (B) is not restricted from vertical movement, as asserted by the Examiner. When the Groff hood (B) contacts a workpiece, the hood rotates upward about the upper bolt within the slot (s) and the roller (q) moves within the horizontal slot (g) to allow the rotation. With additional upward movement of the hood, the rollers (q and q') will move upward within the two slots (s' and s) to allow additional upward movement of the hood. Therefore, contrary to the assertion of the Examiner, the hood is not prevented from vertical movement with the roller (q) is located within the horizontal slot (g). Furthermore, Groff does not disclose or suggest any structure to securely and rigidly mount the hood to the vertical plate (F).

Because Groff does not disclose or suggest all of the limitations of claim 1, Applicants respectfully request that the rejection of claims 1 and 3 be withdrawn.

### **III. Rejections under 35 U.S.C. § 103**

Claims 4-20 were rejected under 35 U.S.C. § 103(a) as being obvious over the Groff patent in view of other references, including: U.S. Patent Number 997,720 to

Troupenat ("Troupenat"), U.S. Patent Number 1,830,579 to Wappat ("Wappat"), U.S. Patent Number 5,794,351 to Campbell ("Campbell"), U.S. Patent Number 5,375,495 to Bosten ("Bosten"), and U.S. Patent Number 1,821,113 to Neighbour ("Neighbour").

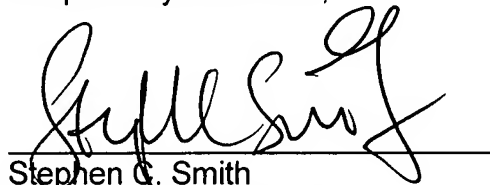
Applicants respectfully traverse. Claims 4-11 depend from claim 1. As pointed out above, Groff does not show or suggest that the guard top plate is securely and rigidly attached to the riving knife when the two members are attached. Likewise, the secondary references do not teach or suggest a removable guard with a top plate that is securely and rigidly attachable to the riving knife. Therefore, the combination cannot teach or suggest the presently claimed table saw.

Similar to claim 1, independent claims 12, 17 and 21 each require that the guard top plate is securely and rigidly attached to the riving knife when the guard is mounted or releasably attached with the riving knife. Therefore, these claims and those depending from them are also patentable. Applicants respectfully request that the Section 103(a) rejections of claims 4-21 be withdrawn and claims 1-21 be allowed.

### SUMMARY

Claims 1-21 are patentable. Applicants respectfully request the Examiner grant early allowance of this application. The Examiner is invited to contact the undersigned attorney for the Applicants via telephone at (312) 222-8124 if such communication would expedite this application.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Stephen G. Smith", written over a horizontal line.

Stephen G. Smith  
Registration No. 56,250  
Attorney for Applicants

BRINKS HOFER GILSON & LIONE  
P.O. BOX 10395  
CHICAGO, ILLINOIS 60610  
(312) 321-4200

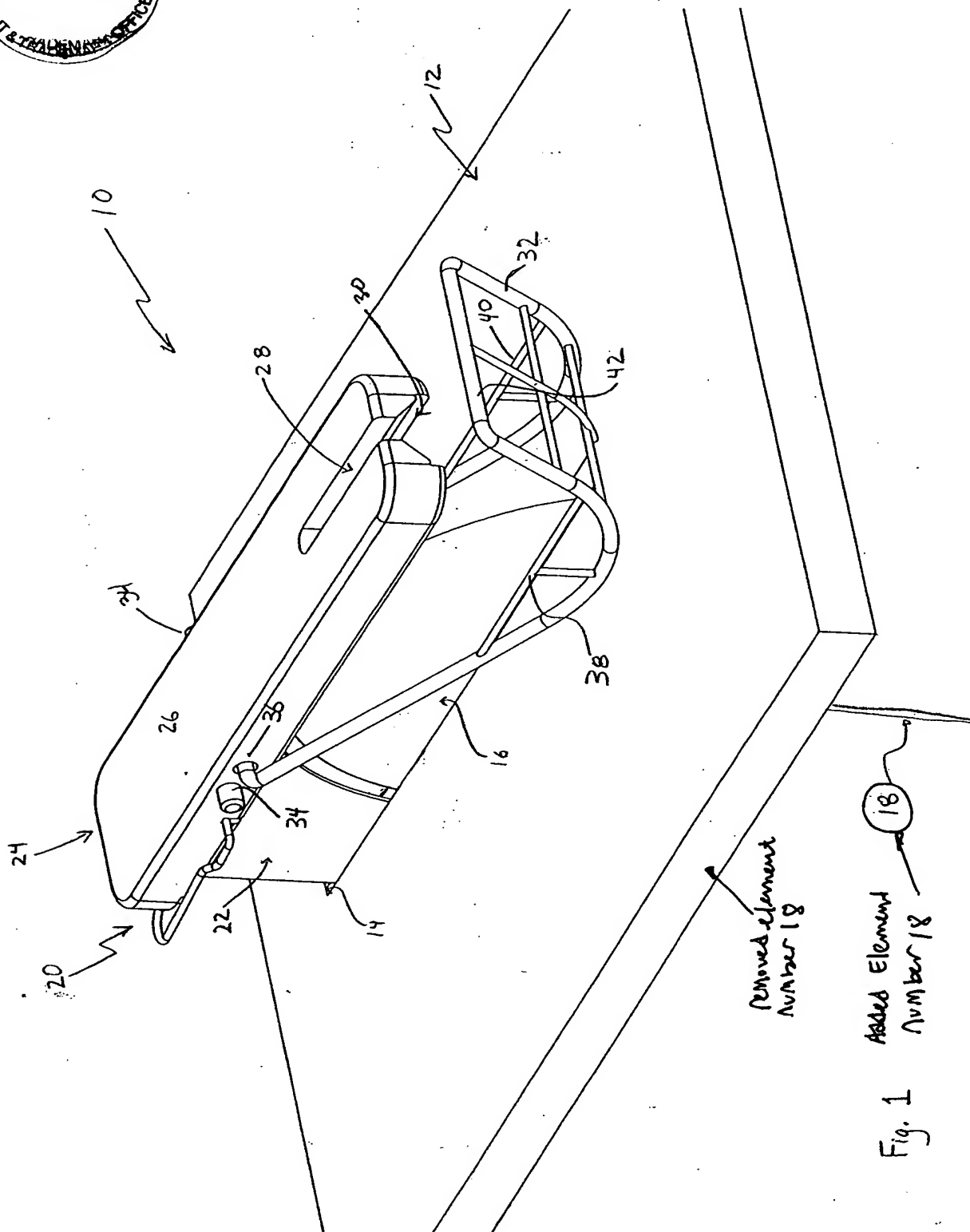


Fig. 1  
 Added Element  
 Number 18

